

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 09-3979

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In Re: DIET DRUGS  
(PHENTERMINE/FENFLURAMINE/DEXFENFLURAMINE)  
PRODUCT LIABILITY LITIGATION

Rose Sellers, Appellant

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
D.C. Civil Action No. 99-cv-20593  
(Honorable Harvey Bartle III)

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Submitted Pursuant to Third Circuit LAR 34.1(a)  
November 1, 2010

Before: SCIRICA, STAPLETON and ROTH, *Circuit Judges*.

**JUDGMENT**

This cause came to be considered on the record from the United States District Court for the Eastern District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on November 1, 2010. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the order of the District Court entered September 11, 2009, be, and the same is hereby affirmed. Costs taxed against appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron  
Clerk

DATED: January 21, 2011

The seal of the United States Court of Appeals for the Third Circuit is circular. It features an eagle with spread wings, perched on a shield with vertical stripes. Above the eagle's head is a constellation of stars. The words "UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT" are inscribed around the perimeter of the seal.  
Certified ~~as a copy~~ and issued in lieu  
of a formal mandate on February 14, 2011

Teste: *Marcia M. Waldron*  
Clerk, U.S. Court of Appeals for the Third Circuit